

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DOUGLAS HALL; STEVEN HEIMOFF;
BOTTLEBRUSH INVESTMENTS, L.P.;
LEGHORN INVESTMENTS LTD.; and KAMALA
D. HARRIS, solely in her capacity as Attorney
General for the State of California,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 12-01001 (SMB)

STIPULATION AND ORDER CONCERNING SCHEDULING

Irving H. Picard, as trustee (the “Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff, individually, by and through his counsel, and Douglas Hall; Steven Heimoff; Bottlebrush Investments, Ltd.; Leghorn Investments Ltd.; and Kamala D. Harris, solely in her capacity as Attorney General for the State of California (collectively, the “Defendants”), by and through their respective counsel

(collectively, the “Parties”), hereby stipulate and agree as follows:

WHEREAS, on January 4, 2012, the Trustee commenced the above-referenced adversary proceeding by filing a complaint (“Complaint”) and application (“Application”) seeking a declaration that state-court actions commenced by the Defendants are void *ab initio* as violative of the automatic stay and seeking to preliminarily enjoin the continued litigation of such actions;

WHEREAS, on July 18, 2012, the Court issued an order directing that the Parties enter mediation concerning the subject matter of the Application and related proceedings;

WHEREAS, on July 31, 2012, November 8, 2012, December 13, 2012, February 27, 2013, June 4, 2013, September 11, 2013, November 26, 2013, March 25, 2014, June 24, 2014, October 16, 2014, January 22, 2015, and May 14, 2015, the Court so-ordered stipulations extending the Defendants’ time to respond to the Complaint;

WHEREAS, the Parties have agreed that the Defendants’ time to respond to the Complaint should be further extended;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN THE TRUSTEE AND DEFENDANTS:

1. The Defendants’ time to respond to the Complaint is extended to **December 16, 2015**.
2. Nothing contained herein can or shall be construed as an adjudication on the merits of any claims that the Trustee and/or Defendants may have against each other or any other party, or as an admission or acknowledgement of any claim or defense as against the other by the Trustee or Defendants, with all such claims and defenses preserved.

| | |
|---|---|
| <p><u>/s/ Alexandra Robert Gordon</u> Kamala Harris Attorney General of California Alexandra Robert Gordon Deputy Attorney General Department of Justice 455 Golden Gate Avenue, Suite 11000 San Francisco, California 94102-7004 Email: alexandra.robertgordon@doj.ca.gov</p> <p><i>Attorneys for The People of the State of California</i></p> <p><u>/s/ Marvin Gelfand</u> Marvin Gelfand, Esq. Weintraub Tobin Chediak Coleman Grodin Law Corporation 9665 Wilshire Boulevard, Ninth Floor Beverly Hills, California 90212 Email: mgelfand@weintraub.com</p> <p><i>Attorneys for Bottlebrush Investments and Leghorn Investments, Inc.</i></p> <p><u>/s/ Barry Weprin</u> Barry Weprin, Esq. Leigh Smith, Esq. Joshua E. Keller, Esq. Milberg LLP One Pennsylvania Plaza New York, New York 10119 Email: bweprin@milberg.com lsmith@milberg.com jkeller@milberg.com</p> <p>Jeff S. Westerman, Esq. Michelle Furukawa, Esq.</p> | <p><u>/s/ Marc E. Hirschfield</u> David J. Sheehan Marc E. Hirschfield Deborah H. Renner Keith R. Murphy Tracy L. Cole Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201 Email: dsheehan@bakerlaw.com mhirschfield@bakerlaw.com drenner@bakerlaw.com kmurphy@bakerlaw.com tcollection@bakerlaw.com</p> <p><i>Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff</i></p> |
|---|---|

| | |
|---|--|
| <p>Milberg LLP One California Plaza 300 South Grand Avenue, Suite 3900 Los Angeles, California 90071 Email: jwesterman@milberg.com mfurukawa@milberg.com</p> <p>Stephen A. Weiss, Esq. Christopher M. Van de Kieft, Esq. Seeger Weiss LLP One William Street New York, New York 10004 Email: sweiss@seegerweiss.com cvandekieft@seegerweiss.com</p> <p>Martin R. Cramer, Esq. 623 Maitland Avenue Teaneck, New Jersey 07666 Email: martcramer@gmail.com</p> <p><i>Attorneys for Douglas Hall, as Co-Trustee of the Vivian H. Hall IRA and Derivatively on Behalf of Crescent Securities, and Steven Heimoff, Derivatively on Behalf of Marloma Securities</i></p> | |
|---|--|

SO ORDERED

Dated: September 21st, 2015
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE